

Court of Appeals, State of Michigan

ORDER

Melissa Lynn Nuyts v City of Algonac

Docket No. 266471

LC No. 04-002249 NI

Christopher M. Murray
Presiding Judge

Kathleen Jansen

Pat M. Donofrio
Judges

The Court, acting under MCR 7.203(F)(2), orders that the motion for reconsideration is GRANTED to the extent that the claim of appeal is REINSTATED so that the defendants may raise the issue that they were not the proximate cause of the accident. The claim of appeal remains closed as to the issue that plaintiff did not suffer a serious impairment of a body function.

The Court further orders that the appellants' brief is STRICKEN and appellants are to file a replacement brief within 14 days of this order raising the sole issue that defendants were not the proximate cause of the accident.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 13 2006

Date

Sandra Schultz Mengel
Chief Clerk